

AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO ESTABLISH
REGULATIONS FOR SOCIAL SERVICE PROVIDERS WITH DINING FACILITIES

Draft 9-30-2015

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO ORDAINS:

Section 1. Section 15-15 (Definitions) of the Carrboro Land Use Ordinance is amended by adding a new subsection (112), as shown below, and renumbering the subsequent subsections accordingly.

(112) **SOCIAL SERVICE PROVIDER WITH DINING FACILITIES:** a facility that provides social support services to the public for limited to no cost. Services may include but are not limited to educational programs, counseling services, food pantry facilities and other supportive uses that are incidental to the main uses such as general administration. A principal activity shall be the provision of free meals on-site.

Section 2. Section 15-146 (Table of Permissible Uses) is amended by adding a new use classification 3.215 “Social Service Provider with Dining Facilities” and by adding the letter “Z(o)” opposite this use classification under the B-1(g), R-20 and RR zoning district columns to indicate that this use is permissible in these districts with a zoning permit.

Section 15-147 (Use of the Designations Z,S,C in the Table of Permissible Uses) is amended by adding a new subsection (o) to read as follows:

(o) Notwithstanding the foregoing, the designation “Z(o)” means that use classification 3.215 may only be allowed with a zoning permit in conjunction with the conditional rezoning of a property and demonstration of compliance with all applicable Land Use Ordinance provisions, including supplementary use regulations in section 15-176.7.

Section 3. Article XI (Supplementary Use Regulations) is amended by adding a new section 15-176.7 to read as follows:

Section 15-176.7 Social Service Provider with Dining Facilities.

- (a) All social service providers with dining facilities shall provide a description of the services to be provided and the population that will be served along with information relating to efforts to collaborate or consolidate with other providers.
- (b) All social service providers with dining facilities shall provide documentation of all appropriate licensing for the type of services provided at the particular site, and any required training for staff and volunteers.
- (c) All social service providers with dining facilities must be located within a half block of a public transit service stop. No new facilities may be established within one mile of an existing facility.
- (d) All facilities with food pantry services shall provide sufficient space on site for deliveries in an area that is visible from the public right of way.

- (e) External lighting shall, comply with the provisions in Article XV, Part II, Outdoor Lighting, with particular attention to providing clear visibility to all outdoor areas on site.
- (f) Facilities shall provide trash and recycling receptacles near the main entrance that are checked daily, in addition to regular trash and recycling collection.
- (g) All facilities shall be designed to provide an on-site, sheltered location with sufficient queuing space for patrons to enter and exit the facility in an orderly manner and without disrupting traffic within public rights of way.
 - 1. Facilities shall be monitored by staff or volunteers to ensure that diners maintain orderly conduct while waiting for meal service to commence.
 - 2. Diners shall be instructed to disperse from the property after exiting facility.
- (h) The facility shall have an appropriate management/security system. Examples of potential elements of a security plan may include but not be limited to the following:
 - 1. The location and number of security cameras and/or security personnel during operating hours and non-operating hours, management policies to handle peak hour crowds and to prevent loitering.
 - 2. A single sign no larger than 1 square feet in area, identifying the operator of the facility and providing a telephone number or other contact information for the operator after hours.
- (i) The permit issuing authority may impose limitations on the size of dining facilities as well as the hours of operations.
- (j) When the requirements in this section relating to external lighting and security may be in conflict with the requirements of Article XIX, Screening and Trees, the requirements of this section shall take precedence.

Section 4. Section 15-291 (Number of Parking Spaces Required) shall be amended as follows:

The Table in Section 15-291, Part I, shall be amended to add use 3.215 with the following corresponding requirements: 1 space for every full time employee; 1 space for every 2 part time employee; 1 space for every 3 volunteers; 1 space for every 20 seats the portion of the building used for dining, and 1 space for every 100 square feet of the building dedicated toward meeting or educational space (depending on programing needs, this requirement may apply to the kitchen and dining spaces).

The Table of Bicycle Parking Standards shall also be amended to add use 3.215 with the corresponding requirement of 1 space for every 5 seats in the portion of the building used for dining.

Section 5. Subsection (a) of Section 15-48.1, Concept Plan Review Procedures Prior to Submitting Applications, is hereby amended to read as follows:

- (a) Prior to submitting an application for a special or conditional use permit, or for conditional zoning to allow use classification 3.215 Social Service Provider with Dining Facilities, the applicant shall comply with the requirements of this section.

Section 6. Subsection (d) of Section 15-141.4 Conditional Zoning Districts is hereby amended so that it reads as follows:

d) When a rezoning petition for a conditional zoning district is submitted (in accordance with Article XX of this chapter), the application shall include a list of proposed conditions (which may be in the form of written statements, graphic illustrations, or any combination thereof) to be incorporated into the ordinance that rezones the property to the requested conditional zoning district. A rezoning petition submitted to allow use classification 3.215 Social Service Provider with Dining Facilities within a building a building of more than two stories or 35 feet in height shall include information that demonstrates that if the project is completed as proposed it

- (1) Will not substantially injure the value of adjoining or abutting property; and
- (2) Will be in harmony with the area in which it is to be located. The manner in which a project is designed to accommodate additional building height including, but not limited to, scale, architectural detailing, compatibility with the existing built environment and with adopted policy statements in support of vibrant and economically successful and sustainable, mixed- use, core commercial districts shall be among the issues that may be considered to make a finding that a project is or is not in harmony with the area in which it is to be located. The applicant may use a variety of graphic and descriptive means to illustrate these findings.
- (3) Will be in general conformity with the Land Use Plan, Thoroughfare Plan, and other plans officially adopted by the Board.

The list of proposed conditions may be modified by the planning staff, advisory boards, or Board of Aldermen as the rezoning application works its way through the process described in Article XX, but only those conditions mutually approved by the applicant and the Board may be incorporated into the conditional zoning district. Conditions and site-specific standards imposed in a conditional district shall be limited to (i) those that address the conformance of the development and use of the site to the provisions of this chapter or to applicable plans adopted by the Board, and (ii) those that address the impacts reasonably expected to be generated by the development or use of the site.

Section 7. All provisions of any town ordinance in conflict with this ordinance are repealed.

Section 8. This ordinance shall become effective after adoption.